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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/688,983	10/17/2000	Jeff S. Eder		2397

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EXAMINER

DASS, HARISH T

ART UNIT PAPER NUMBER

3628

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/688,983

**Applicant(s)**

EDER, JEFF S.

**Examiner**

Harish T Dass

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 107-121 and 133-156 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 107-121 and 133-156 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/9/04</u> | 6) <input type="checkbox"/> Other: _____  |

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/9/2004 has been entered.

**DETAILED ACTION**

Claims 1-106 and 122-132 are cancelled.

IDS submitted 8/9/2004 has only one page not 7 pages, It may be a typo.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 138-144 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 138 does not include step(s) which is inventive step(s). Any software capable of formatting non-xml to xml format can do the job.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 107-121, 134-146 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ching (US 6,078,901) in view of Ranger (US 6,301,584).

Re. Claims 107, 133 and 138, Ching discloses quantifying organization risk by element of value using at least a portion of the data [C4 L66 to C5 L40], displaying the quantified risks using a paper document or electronic display [Figure 15-16, 18; C13 L21 to C18 L50; C20 L3-L5; C29 L9-L61]. **Ching does not explicitly disclose** using metadata mapping to integrate organization related data in accordance with xml metadata.

However, Ranger discloses this step [see entire document particularly, Abstract; Figure 3, 5-14; C1 L15 to C2 L59; C3 L30-L38; C5 L42 to C6 L23; C9 L6 to C10 L40; C12 L59 to C13 L5] to collect relevant information located at a plurality of sites and stored in plurality of incompatible formats according to configurable search strategies. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the disclosures of Ching and Ranger and include using metadata mapping to extract data from data sources and integrate into a model and present to the user in improved and different format.

Re. Claim 108, Ching further discloses calculating the amount of capital available for risk reduction purchases [C11 L15-L30], identifying the optimal mix of risk reduction

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products and risk reduction activities given the quantified risks and available capital (Optimal Resource Allocation) [C11 L15-L30; C13 L20 to C18 L50], and displaying the optimal mix using a paper document or electronic display [Figure 15-16, 18; C13 L21 to C18 L50; C20 L3-L5; C29 L9-L61].

Re. Claim 109, Ching further discloses implementing the optimal mix of risk reduction products and risk reduction activities in an automated fashion (Optimal Resource Allocation and Completely Automated And Self-generating Software System) [C3 L3-L4; C11 L15-L30; C13 L20 to C18 L50].

Re. Claims 110-121, 134-137, and 139-146, Ching discloses **where** organization related data is obtained from the group consisting of advanced financial systems, basic financial systems, web site management systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems, enterprise resource planning systems (ERP), material requirement planning systems (MRP), scheduling systems, quality control systems, purchasing systems, the Internet, external databases, user input and combinations thereof [Abstract; C2 L57 to C3 L4; C4 L43 to C5 L38; C9 L66 to C12 L6; C8 L11-L32;

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C13 L22 to C18 L50; C39 L50 to C40 L30], **wherein** the organization comprises an enterprise, a multi-enterprise organization or a value chain, **wherein** an enterprise comprises a single product, a group of products, a division or a company, **where** the elements of value are selected from the group consisting of alliances, brands, channels, customers, customer relationships, employees, intellectual property, partnerships, processes, production equipment, vendors, vendor relationships and combinations thereof, **where** the risks are from the group consisting of fire risks, earthquake risks, flood risks, weather risks, contingent liabilities and combinations thereof, **wherein** the risks are quantified under scenarios from the group consisting of normal, extreme and combinations thereof, **Where** developing element impact summaries that incorporate one or more transaction indicators, quantifying the relationship between elements of value and the categories of value using said summaries, quantifying organization risks, simulating organization financial performance using said indicators and risks, quantifying the impact on financial performance caused by the risk induced change in the one or more indicators included in each element impact summary using said simulations and the established relationships between element impact summaries and the categories of value, **wherein** the quantified risks by element of value are further identified by category of value **where** the categories of value are current operation, real options and market sentiment, **where** the optimal mix is determined using a multi-criteria optimization for a combined normal and extreme scenario, **where** implementing the optimal mix of risk reduction products and risk reduction activities further comprises: completing the purchase of risk transfer products in an automated fashion, and identifying changes in operating limits by

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organization system [C2 L57 to C3 L51; C4 L43 to C5 L38; C8 L11-67; C9 L66 to C12 L6; C8 L11-L32; C13 L22 to C18 L50; C30 L15-L23; C39 L50 to C40 L30; C48 L33 to C49 L18], and communicating the changes in operating limits to organization systems, **where** organization systems are selected from the group consisting of advanced financial systems, basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems, enterprise resource planning systems (ERP), material requirement planning systems (MRP), scheduling systems, quality control systems, purchasing systems and combinations thereof [C2 L57 to C3 L4; C4 L43 to C5 L38; C9 L66 to C12 L6; C8 L11-L32; C13 L22 to C18 L50; C39 L50 to C40 L30]. Ching, explicitly, **does not** disclose **where** the risk transfer products are insurance, derivatives and combinations thereof. However these are known product with associated risk factors. , and further Ching, **does not** disclose metadata mapping is established using a metadata and conversion rules window, **where** some data from **the group consisting** of component of value data, sub component of value data, known value drivers and combinations thereof are pre-specified for mapping, **where** the integrated data is stored in tables, **where** the metadata mapping is established using a metadata and conversion rules window, **where** some data are pre-specified for mapping, **where** the data pre-

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specified for mapping are selected from **the group consisting** of component of value data, sub component of value data, known value drivers and combinations thereof, **where** the integrated data is stored in tables, **where** one axis of each table is defined by the time periods that require data, **where** one axis of each table is defined by data from **the group consisting** of components of value, sub components of value, known value drivers, elements of value, non-relevant attributes and combinations thereof. However, these step are disclosed by Ranger [see claim 1] to format different type of data to configurable one. further bots (robots) are known to perform some task that is repetitive such as searching internet [see claim 1 for references]. It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to combine the teaching of Ching and Ranger and include known securities (insurance, derivative, etc.) and metadata mapping to format incompatible documents to formatted ones.

Claims 147-149 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ching (US 6,078,901) in view of Hartnett (US 6,112,188).

Re. Claims 147, Ching discloses quantifying organization risk by element of value using at least a portion of the data, displaying the quantified risks using a paper document or electronic display, means for integrating data from said systems, means for quantifying organization risks by category of value using at least a portion of the data [see claim 1], and **where** the categories of value are selected from **the group consisting** of current operation, real options, market sentiment and combinations thereof and **where** the risks



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are selected from **the group consisting** of alliance risks, brand risks, channel risks, commodity price risks, consumer confidence level risks, contingent liabilities, customer risks, customer relationship risks, earthquake risks, employee risks, expected earnings risks, fire risks, flood risks, gross domestic product risks, inflation rate risks, insider trading risks, intellectual property risks, interest rate risks, partnership risks, process risks, production equipment risks, supply chain risks, unemployment rate risks, vendor risks, vendor relationship risks, volatility risks, weather risks and combinations thereof [see Re. claims 110-121, 134, 139 and 148 for Ching references]. Ching does not explicitly disclose **enterprise** transaction systems, and means for storing said data. However, Hartnett discloses these steps [Abstract; figures 1-3; C1 L4-26; C4 L38 to C5 L37; C14 L60 to C15 L10; C17 L8-L28; C21 L45 to C22 L32; C23 L1-L45; C24 L12-L36; C28 L42 to C29 L10; C35 L18 to C36 L35; C42 L31 to C43 L3] to include and enter transaction orders and transaction files into computer system database and stored in a transaction database suitable for processing by a digital computer system. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the disclosure of Ching and Hartnett and include **enterprise** transaction systems, and means for storing said data to be retrieved and used by other computers or in future.

Re. Claims 148-149, Ching further discloses **where** transaction systems are selected from **the group consisting** of advanced financial systems, basic financial systems, alliance management systems, brand management systems, customer relationship

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management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems, **enterprise** resource planning systems (ERP), material requirement planning systems (MRP), scheduling systems, quality control systems, purchasing systems and combinations thereof [C2 L57 to C3 L51; C4 L43 to C5 L38; C8 L11-67; C9 L66 to C12 L6; C8 L11-L32; C13 L22 to C18 L50; C30 L15-L23; C39 L50 to C40 L30; C48 L33 to C49 L18] and means for calculating the amount of capital available for risk reduction purchases using said data, means for identifying the optimal mix of risk reduction purchases and risk reduction activities given the quantified risks and available capital, and means for implementing the optimal mix of risk reduction products and risk reduction activities in an automated fashion [Figure 15-16, 18; C3 L3-L4; C11 L15-L30; C13 L20 to C18 L50; C20 L3-L5; C29 L9-L61].

Claims 150-156 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ching and Hartnett and further in view of Ranger.

Re. Claims 150-156, Neither **Ching** nor Hartnett discloses **where** the means for integrating data further comprises integrating data in accordance with a format defined by xml metadata using metadata mapping and conversion, **where** metadata mapping specifications are established using a metadata and conversion rules window, **where**

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some data is pre-specified for mapping and the data pre-specified for mapping are selected from **the group consisting** of component of value data, sub component of value data, known value driver data and combinations thereof, **where** the means integrating data from said systems in accordance with a format defined by xml metadata further comprises the use of independent software components to complete the integration, **where** one axis of each table is defined by the time periods that require data, **where** one axis of each table is defined by data from **the group consisting** of components of value, sub components of value, known value drivers, elements of value, non-relevant attributes and combinations thereof, and **where** the xml metadata format further comprises a network schema. However, method and apparatus for data integration disclosed by Ranger can perform the mention steps [see entire document particularly, Abstract; Figure 3, 5-14; C1 L15 to C2 L59; C3 L30-L38; C5 L42 to C6 L23; C9 L6 to C10 L40; C12 L59 to C13 L5] to collect relevant information located at a plurality of sites and stored in plurality of incompatible formats according to configurable search strategies.

#### ***Response to Arguments***

4. Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

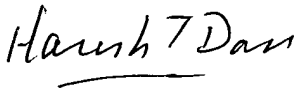
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T Dass whose telephone number is 703-305-4694. The examiner can normally be reached on 8:00 AM to 4:50 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S Sough can be reached on 703-308-0505. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Harish T Dass  
Examiner  
Art Unit 3628



11/15/04